

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Letters Patent of:  
Dixit et al.

Docket No.: PF335D2

Patent No.: 6,890,721

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Issued: May 10, 2005

JUL 11 2005

For: Interleukin-1 Beta Converting Enzyme Like  
Apoptotic Protease-6

**REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT**  
UND : R 37 C.F.R. § 1.705(d)

MS Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Patentees hereby request reconsideration of the patent term adjustment (PTA) indicated on the face of U.S. Patent No. 6,890,721 B1 (the '721 Patent), and in the PAIR data for this patent. In particular, both the patent document and PAIR indicate 194 days of patent term adjustment, but Patentees are due 314 days of PTA as described more fully below.

This request is timely filed under 37 C.F.R. § 1.705(d) as it is being submitted by the first business day two months after the May 10, 2005 issue date of the '721 patent. The requirements of 37 C.F.R. § 1.705(b)(1) are satisfied by the Fee Transmittal Sheet enclosed herewith, authorizing payment of the fee set forth in 37 C.F.R. 1.18(e). The requirements of 37 C.F.R. § 1.705(b)(2) are satisfied by the following statements, as supplemented by the attached Exhibits.

**Eligibility for PTA**

1. The 09/961,201 application (i.e. '201 Application) that matured into the instant patent was filed on September 24, 2001, and thus, pursuant to 37 C.F.R. § 1.702, is eligible for patent term adjustment under 35 U.S.C. § 154.

07/14/2005 HDEMESS2 00000011 083425 09961201

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## FAX TRANSMISSION

JUL 11 2005

DATE: July 11, 2005

PTO IDENTIFIER: Application Num : 09/961,201-Conf. #6537  
Patent Number 6,890,721

Inventor: Dixit et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: HUMAN GENOME SCIENCES, INC.

Melissa J. Pytel

PHONE: (301) 610-5764

Attorney Dkt. #: PF335D2

PAGES (Including Cover Sheet): 11

CONTENTS: Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R. 1.705(d) (5 pages)  
Exhibits A and B (11 pages)  
Fee Transmittal (1 page)  
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HUMAN GENOME SCIENCES, INC.  
Intellectual Property Dept., 14200 Shady Grove Road, Rockville, Maryland 20850  
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JUL 14 2005

PTO/SB/07 (08-04)

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Application No. (if known): 09/961,201

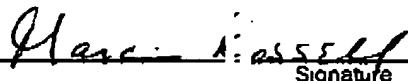
Attorney Docket No.. PF335D2

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Request for Reconsideration of Patent Term Adjustment Under 37 C.F.R. 1.705(d) (5 pages)

Exhibits A and B (11 pages)

Fee Transmittal (1 page)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (P. L. 108-482).

**FEE TRANSMITTAL  
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27(b).**TOTAL AMOUNT OF PAYMENT** (\$ 200.00)

Complete if Known	
Application Number	Patent# 6,890,721
Filing Date	Issued: May 10, 2005
First Named Inventor	Vishva M. Dixit
Examiner Name	P. N. Huynh
Art Unit	1844
Attorney Docket No.	PF335D2

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JUL 11 2005

**METHOD OF PAYMENT** (check all that apply)

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<input checked="" type="checkbox"/> Deposit Account	Deposit Account Number 08-342	Deposit Account Name Human Genome Sciences, Inc.
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For the above-identified deposit account, the

Director is hereby authorized to. (check all that apply)

 Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments**FEES CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee Paid (\$)
43	- 63 =	x	=		

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
7	- 8 =	x	=

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the applicant fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a) (X)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Fee (\$)	Fee Paid (\$)	Fees Paid (\$)
100	- 100 =	/50	(round up to a whole number) x	=

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) 1455 Filing application for patent term adjustment 200.00

SUBMITTED BY	Signature 	Registration No. (Attorney/Agent) 41,512	Telephone (301) 610-5764
Name (Print/Type)	Melissa J. Pytel	Date	July 11, 2005

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